

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

OMAR POWELL	:	CIVIL ACTION
	:	
v.	:	No. 13-1380
	:	
THE ATTORNEY GENERAL OF THE	:	
STATE OF PENNSYLVANIA, et al.	:	

**ORDER**

AND NOW, this 23rd day of January, 2014, upon careful and independent consideration of Petitioner Omar Powell's pro se Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody, the response thereto, Powell's reply, and the available state court records, and after review of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, to which no objections have been filed,<sup>1</sup> it is ORDERED:

1. The Report and Recommendation (Document 13) is APPROVED and ADOPTED;
2. Powell's petition for writ of habeas corpus (Document 1) is DISMISSED; and
3. A certificate of appealability shall not issue, in that Powell has not demonstrated that reasonable jurists would debate the correctness of this procedural ruling. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

The Clerk of Court is directed to mark this case CLOSED.

---

<sup>1</sup> The Report and Recommendation was sent to all parties of record on December 31, 2013, together with a Notice from the Clerk of Court advising the parties of their obligation to file any objections within 14 days after service of the Notice. *See* Local R. Civ. P. 72.1 IV(b) ("Any party may object to a magistrate judge's proposed findings, recommendations or report under 28 U.S.C. § 636(b)(1)(B), and subsections 1(c) and (d) of this Rule within fourteen (14) days after being served with a copy thereof."). As of today's date, no objections have been filed.

BY THE COURT:

/s/ Juan R. Sánchez  
Juan R. Sánchez, J.